IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Writ Petition No. 2220 of 2006

Father Milton Gonsalves ..Petitioner

vs.

1. Smt.Shanta Kasare and anr. ..Respondents

Shri Raju Z.Moray i/b Shri Denzil D'mellow for petitioner.

CORAM: S.B.MHASE J.
7th April, 2006

P.C.

1. Heard the learned Counsel.

2. Perused the impugned order as also the judgment of this Court in Writ Petition No.787 of 2004 dated 18th Octoberf, 2004 allowing the petition partly in favour of the respondent/original plaintiffs. It appears that the petitioners have come into possession of the suit property after dismissal of L.C.suit No.4477 of 2001 and, therefore, after restoration of the said suit the petitioner is proposed to be added as a party. The said Chamber Summons has been allowed. In the facts and circumstances of the case, in order to have proper adjudication of the disputes presence of the petitioner is very much necessary in the Court and, therefore, the impugned order is passed. No interference is called for. Needless to say that all contentions by way of defence to the said suit are available to the petitioner when he filesl the written statement to thesuit. Petition is rejected.

(S.B.MHASE J.)